

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JUDITH COX and CHARLES COX
individually and as Personal
Representatives of the Estates of C.J.P.
and B.T.P.,

Plaintiff,

v.

STATE OF WASHINGTON,
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES, FOREST
JACOBSON, ROCKY STEPHENSON,
JANE WILSON, and BILLIE REED-
LYYSKI,

Defendants.

CASE NO. C14-5923 RBL

ORDER PERMITTING
DEFENDANTS TO RESPOND TO
PLAINTIFFS' MOTION FOR
RECONSIDERATION

DKT. #41

THIS MATTER comes before the Court on Plaintiffs' Motion for Reconsideration [Dkt. #41] of the Court's October 6, 2015 Order granting Defendants' motion for summary judgment [Dkt. #39]. Cox argues that the Court erred by accepting unsupported facts as true and by failing to view disputed facts in the light most favorable to him. He seeks reconsideration on whether the individually named social workers are entitled to absolute or qualified immunity and whether DSHS is entitled to dismissal of his state law negligence claims.

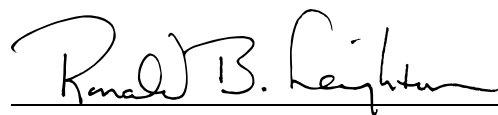
1 Motions for reconsideration are disfavored. The court will ordinarily deny such motions
2 in the absence of a showing of manifest error in the prior ruling or a showing of new facts or
3 legal authority that could not have been brought to its attention earlier with reasonable diligence.
4 *See* Local Rule W.D. Wash. CR 7(h)(1). The term “manifest error” is “an error that is plain and
5 indisputable, and that amounts to a complete disregard of the controlling law or the credible
6 evidence in the record.” Black’s Law Dictionary 622 (9th ed. 2009).

7 Given the sensitivity of this case and the attention it has garnered, in an abundance of
8 caution, the Court invites Defendants to respond before it considers Cox’s motion for
9 reconsideration. *See* Local Rule CR 7(h)(3). Accordingly, DSHS and the social workers may file
10 a response to Cox’s by Monday, November 9, 2015. Defendants shall limit their response to
11 addressing the factual matters Cox asserts this Court overlooked or misapprehended, as well as
12 the particular modifications that he seeks. Cox may file a reply by Monday, November 16, 2015.

13 The Clerk of the Court is directed to note Cox’s motion for reconsideration on the
14 Court’s calendar for Monday, November 16, 2015.

15 IT IS SO ORDERED.

16 Dated this 26th day of October, 2015.

17
18 
19 Ronald B. Leighton
United States District Judge
20
21
22
23
24